

the current PTFP rule, was included in the Notice of Availability of Funds for each program:

The Department of Commerce has a long standing policy of not funding projects for purposes the essential thrust of which is sectarian. Consistent with this policy, TIAP [and NECET] will not fund projects the essential thrust of which is sectarian. Sectarian organizations, however, are eligible applicants and may request funds for non-sectarian purposes.⁷

NTIA's long-standing regulation in 15 CFR 2301.22(d) was recently challenged for the first time in the case of *Fordham University v. Brown*. There a PTFP applicant argued that NTIA's policy on sectarian broadcasting violated its right to free exercise of religion and freedom of speech under the First Amendment of the Constitution. The Fordham court rejected this challenge and held that NTIA's policy was not violative of the First Amendment. In *dicta*, however, the court noted that it was not addressing whether there were alternative interpretations of this regulation which could also be implemented by NTIA consistent with the First Amendment.⁸

Requests for Modification

NTIA has received a number of requests to consider modifying its policy. Various public broadcast stations have indicated concern because they wish to include in their schedules some individual programs that could be considered "sectarian" under PTFP's regulation as currently interpreted and applied. Accordingly, while our current approach has been ruled constitutionally permissible, we seek to determine whether we can and should modify our policy prospectively to permit some limited amount of sectarian programming or information via Federally-funded projects.

In considering whether the essential thrust of a project is sectarian, NTIA is considering whether to look to the overall purpose of the entire project rather than looking to individual components of the project. Under this approach, if the primary purpose of the

overall project is non-sectarian, a grant applicant would no longer be considered ineligible, nor would a grant recipient be found to be in violation of the grant conditions, due to use of Federal funds for a project with only a limited amount of sectarian programming or information.

Differences among the programs warrant close examination in adopting a new policy. For example, PTFP grantees, as broadcasters, have editorial control over the content of their transmissions, and NECET grantees control the subject matter of the children's programming that is funded. TIAP grantees may have no or little control over transmissions sent by others via computer networks.⁹ On the other hand, NECET funds specific programs and/or series, and TIAP may also fund the creation of content for transmission over interactive networks, rather than facilities only, as with PTFP. While the current "bright-line" approach is applied to all three programs alike, we will examine the impact of the programs' differences on proposals to modify our current approach and allow a limited amount of sectarian programming or information.

We also recognize that the proposed modification to our current approach, or any other alternative approach, must pass muster under the First Amendment of the U.S. Constitution.¹⁰ Therefore, NTIA is providing an opportunity for interested parties to comment on the following issues: (1) Whether allowing a limited amount of sectarian programming to be broadcast using PTFP-funded equipment, a limited amount of sectarian material to be included in a children's program produced using NECET funds, or a limited amount of sectarian information to be transmitted electronically over a network using TIAP-funded facilities would be permissible under the First Amendment, if so whether there are sound policy reasons for such an approach, and what implementation issues are raised; (2) whether any other alternatives to NTIA's current approach have a sound policy basis and could be adopted consistent with the First Amendment and current jurisprudence, including how such a policy could, as practical and constitutional matters, be implemented and enforced; (3) whether the same policy can and should be applied to all three NTIA grant programs, and if the same policy cannot

be applied to all three NTIA grant programs, what policy should pertain to each grant program; and (4) whether the current definition of "sectarian" continues to be supportable if NTIA's current policy is modified.

This notice has been determined to be not significant for purposes of Exec. Order No. 12,866.

Larry Irving,

Assistant Secretary for Communications and Information.

[FR Doc. 95-15039 Filed 6-19-95; 8:45 am]

BILLING CODE 3510-60-P

DEPARTMENT OF DEFENSE

Department of the Army

Armed Forces Epidemiological Board; Notice of Open Meeting

AGENCY: Armed Forces Epidemiological Board, DOD.

ACTION: Notice of open meeting.

1. In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-462), announcement is made of the following committee meeting:

Name of Committee: Armed Forces Epidemiological Board Subcommittee on Injury Prevention Working Group, DOD.

Date of Meeting: 05 July 1995.

Time: 0930-1600.

Place: Great Lakes Naval Training Center, Illinois.

Proposed Agenda: Meeting of the Injury Prevention Working Group of the Armed Forces Epidemiological Board.

2. This meeting will be open to the public but limited by space accommodations. Any interested person may attend, appear before or file statements with the committee at the time and in the manner permitted by the committee. Interested persons wishing to participate should advise the Executive Secretary, AFEB, Skyline Six, 5109 Leesburg Pike, Room 667, Falls Church, Virginia 22041-3258.

Gregory D. Showalter,

Army Federal Register Liaison Officer.

[FR Doc. 95-15097 Filed 6-19-95; 8:45 am]

BILLING CODE 3710-08-M

Army Science Board; Open Meeting

In accordance with Section 10(a)(2) of the Federal Advisory Committee Act (P.L. 92-463), announcement is made of the following Committee Meeting:

Name of Committee: Army Science Board (ASB).

Date of Meeting: 12 July 1995.

Time of Meeting: 0900-1700.

⁷ See 60 FR 8,156 (February 10, 1995) and 60 FR 15,636 (March 24, 1995), respectively.

⁸ *Fordham University v. Brown*, No. 93-2120 at 25 (CCR)(D.D.C. June 29, 1994) (appeal docketed, No. 94-5229, August 22, 1994). PTFP refused a grant to Fordham University's public radio station because it broadcast a Catholic mass every Sunday. In addition, the Supreme Court has before it the case of *Rosenberger v. Rector and Visitors of the University of Virginia*, No. 94-329 (oral arg. held Mar. 1, 1995). The *Rosenberger* case raises the constitutionality of a state-supported university's refusal to make a student activities fund grant to a Christian journal. A decision in the *Rosenberger* case is expected by the end of this Supreme Court term.

⁹ Because TIAP funds facilities used for transmission of information via interactive networks, some transmitted information may be under the control of the grantee and some may be under the control of end users.

¹⁰ U.S. Const. amend. I.

Place: Pentagon—Washington, DC.

Agenda: The Army Science Board (ASB) C4I Issue Group will commence an Issue Group Study on "A Strategy for Leveraging Commercial Technologies for Future Army Radios." There will be assorted briefings to the Future Army Radio Study Group. This meeting will be open to the public. Any interested person may attend, appear before, or file statements with the committee at the time and in the manner permitted by the committee. For further information, please call Michelle Diaz at (703) 695-0781.

Michelle P. Diaz,

Acting Administrative Officer, Army Science Board.

[FR Doc. 95-15054 Filed 6-19-95; 8:45 am]

BILLING CODE 3710-08-M

DEPARTMENT OF EDUCATION

Recognition of Accrediting Agencies, State Agencies for Approval of Public Postsecondary Vocational Education, and State Agencies for Approval of Nurse Education

June 15, 1995.

AGENCY: Department of Education.

ACTION: Request for comments on agencies applying to the Secretary for initial recognition or renewal of recognition.

DATES: Commentors should submit their written comments by August 4, 1995.

FOR FURTHER INFORMATION CONTACT:

Karen W. Kershenstein, Director, Accreditation and State Liaison Division, U.S. Department of Education, 600 Independence Avenue, SW., Room 3915 ROB-3, Washington, DC 20202-5244, telephone: (202) 708-7417.

Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service at 1-800-877-8339 between 8 a.m. and 7 p.m., Eastern time, Monday through Friday.

SUBMISSION OF THIRD-PARTY COMMENTS:

The Secretary of Education recognizes, as reliable authorities as to the quality of education offered by institutions or programs within their scope, accrediting agencies and State approval agencies for public postsecondary vocational education and nurse education that meet certain criteria for recognition. The purpose of this notice is to invite interested third parties to present written comments on the agencies listed in this notice that have applied for initial or continued recognition. All comments received in response to this notice will be reviewed by Department staff as part of its evaluation of the agencies' compliance with the criteria for recognition. In order for Department staff to give full consideration to the

comments received, the comments must arrive at the address listed above not later than August 4, 1995. Comments must relate to the Secretary's Criteria for the Recognition of Accrediting Agencies.

The National Advisory Committee on Institutional Quality and Integrity (the "Advisory Committee") advises the Secretary of Education on the recognition of accrediting agencies and State approval agencies. The Advisory Committee is scheduled to meet November 28-30, 1995 in Washington, D.C. All written comments received by the Department in response to this notice will be considered by both the Advisory Committee and the Secretary. A subsequent **Federal Register** notice will announce the meeting and invite individuals and/or groups to submit requests for oral presentation before the Advisory Committee on the agencies being reviewed. That notice, however, does not constitute another call for written comment. This notice is the only call for written comment.

The following agencies will be reviewed during the November 1995 meeting of the Advisory Committee:

Nationally Recognized Accrediting Agencies and Associations

Petition for Initial Recognition

1. National Association of Private, Nontraditional Schools and Colleges, Accrediting Commission for Higher Education (requested scope of recognition: the accreditation and preaccreditation of private, nontraditional colleges and universities)

Petitions for Renewal of Recognition

1. Accrediting Bureau of Health Education Schools (requested scope of recognition: the accreditation of private, postsecondary institutions and programs offering allied health education)

2. Accrediting Commission of Career Schools and Colleges of Technology (requested scope of recognition: the accreditation of private, postsecondary degree and non-degree-granting institutions that are predominantly organized to educate students, for trade, occupational, or technical careers)

3. Accrediting Council for Independent Colleges and Schools (requested scope of recognition: the accreditation of private postsecondary schools, junior colleges, and senior colleges that are predominantly organized to educate students for business careers, including master's degree programs in senior colleges of business)

4. American College of Nurse-Midwives, Division of Accreditation

(requested scope of recognition: the accreditation of basic certificate and master's degree nurse-midwifery educational programs)

5. American Council on Pharmaceutical Education (requested scope of recognition: the accreditation of professional degree programs)

6. American Dental Association, Commission on Dental Accreditation (requested scope of recognition: the accreditation of programs leading to the DDS or DMD degree, advanced general dentistry and specialty programs, general practice residency programs, and programs in dental hygiene, dental assisting and dental technology)

7. American Occupational Therapy Association, Inc., Accreditation Council for Occupational Therapy Education (requested scope of recognition: the accreditation of occupational therapist education and occupational therapy assistant education)

8. Joint Review Committee on Education in Radiology Technology [formerly recognized in cooperation with the Committee on Allied Health Education and Accreditation of the American Medical Association but now requesting recognition on its own] (requested scope of recognition: the accreditation of educational programs for the radiographer and the radiation therapist)

9. Joint Review Committee on Educational Programs in Nuclear Medicine Technology (formerly recognized in cooperation with the Committee on Allied Health Education and Accreditation of the American Medical Association but now requesting recognition on its own) (requested scope of recognition: The accreditation of postsecondary educational programs in nuclear medicine technology throughout the United States)

10. Middle States Association of Colleges and Schools, Commission on Secondary Schools (requested scope of recognition: the accreditation and preaccreditation of public vocational and technical schools offering non-degree postsecondary education in Delaware, District of Columbia, Maryland, New Jersey, New York, Pennsylvania, Puerto Rico, Virgin Islands)

11. National Accrediting Commission of Cosmetology Arts and Sciences (requested scope of recognition: the accreditation of postsecondary schools and departments of cosmetology arts and sciences)

12. National League for Nursing, Inc. (requested scope of recognition: the accreditation of programs in practical nursing and diploma, associate,